

REMARKS

Claim 1-14 are currently pending. Claims 1, 5, 8, and 12 are independent. Claims 1, 2, 5, 8, 9 and 12 are amended. Reconsideration of the action mailed November 15, 2005, is requested in light of the foregoing amendments and the following remarks.

The examiner rejected claims 4 and 11 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. The examiner rejected claims 1, 6-8, and 13-14 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,417,853 to Squires et al. ("Squires").

Claims 2-3, 5, 9-10, and 12 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of their respective base claims and any intervening claims. The applicant appreciates the examiner's identification of allowable subject matter in claims 2-3, 5, 9-10, and 12. Claims 5 and 12 have been rewritten in independent form.

Drawing Objections

The examiner objected to the drawings under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. The examiner further states that the drawings fail to show a digital matte or blurring. The applicant respectfully disagrees. The figures illustrate the claimed features in a generalized form. For example, a digital matte is disclosed as a type of image having a two-dimensional array having values representing either opacity or coverage in the specification. *See* specification page 1, lines 17-21. Furthermore, the specification describes FIG. 1 as a process for reducing aliasing artefacts that result from shaping digital images including small digital mattes. *See* specification page 3, lines 7-9. Thus, the figures disclosing the processing of an image therefore also disclose the processing of a digital matte derived from an image.

Additionally, blurring is disclosed as an image processing operation that provides fractional pixel values (*i.e.*, subpixel data values). *See* specification page 3, lines 11-15. FIGS. 1 and 2 both disclose the generation of subpixel data values. Step 107 in FIG. 1 shows generating subpixel data values as a function of pixel data of a digital image. FIG. 2 shows values for an

original digital image (which as discussed above can include a digital matte) and a values for a subpixel array derived from the original digital image. Thus, the figures illustrate blurring because they show the generation of subpixel values from a digital image. The applicant respectfully submits that the drawings illustrate the features of the claims as required by 37 CFR 1.83(a).

The examiner also objected to FIG. 4 as including reference character 424 used to represent both a video display and a modem. The applicant has amended FIG. 4 to designate the modem as reference character 429, corresponding to the specification at page 9, line 8.

Section 112 Rejections

Claims 4 and 11 stand rejected as allegedly indefinite. The examiner states that claims 4 and 11 recite the limitation "8.8 result for each pixel" which the examiner finds vague and unclear. The applicant respectfully disagrees. The specification discloses subpixel values as pixel values having both an integer and a fractional component. *See* specification page 3, lines 13-14. The term 8.8 refers to a standard 16-bit fixed point format for pixels values in which the first 8 bits provide an integer value and the second 8 bits provide a fractional value, providing a fractional accuracy of 1/256. Thus, the claim refers to the fractional high resolution pixel values generated by blurring the digital matte to be in an 8.8 format.

Section 102 Rejections

Claim 1 stands rejected over Squires. Claim 1, as amended, recites a method of creating an image based effect from a digital matte that includes generating a digital matte from an image and blurring the digital matte. Blurring the digital matte includes generating high resolution values for the pixels of the blurred matte where the high resolution values are values having a fractional component.

Squires does not disclose or suggest blurring a digital matte where blurring includes generating high resolution pixel values for the blurred matte including fractional pixel values. In Squires, a motion blur is provided to prevent a stroboscopic effect between frames caused by a change in position of a target object in each frame. *See* col. 2, lines 7-11; col. 10, lines 58-64.

The motion blur is generated by identifying the change in position of the target object between each frame and then modifying the matte surrounding the target object accordingly. *See* col. 11, lines 1-35. Specifically, subframes are generated, which estimate the position of the target object at one or more points between the frames. *See* col. 11, lines 4-16. The subframe images are lightened and then combined with the frames to generate an enlarged matte that includes a portion of the faint subframe images to produce the motion blur effect between frames. *See* col. 11, lines 17-35.

However, Squires does not disclose or suggest blurring the digital matte by generating high resolution values for the pixels of the blurred matte. Additionally, Squires does not disclose or suggest that the high resolution values for the pixels are values having a fractional component. The applicant respectfully submits that claim 1, as well as claims 2-7, which depend from claim 1, are in condition for allowance.

Claim 8 stands rejected over Squires. Claim 8, as amended, recites a computer program product for creating an image based effect from a digital matte. The computer program product includes instructions to blur the digital matte where the instructions to blur the digital matte include instructions to generate high resolution values for the pixels of the blurred matte, high resolution values being values having a fractional component. For the same reasons set forth above with respect to claim 1, claim 8 as well as claims 9-14, which depend from claim 8, are in condition for allowance.

The applicant respectfully requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply the \$400 fee for additional claims to Deposit Account No. 06-1050.

Applicant : Jerry Harris
Serial No. : 10/622,852
Filed : July 18, 2003
Page : 11 of 11

Attorney's Docket No.: 07844-408002 / P372 D1

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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Brian J. Gustafson
Reg. No. 52,978

Customer No. 21876
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

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Page : 7 of 11

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Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to FIG. 4 and replaces the original sheet including FIG. 4.

In FIG. 4, the inadvertent use of reference character "424" to designate both the video display and the modem is corrected. The modem numeral has been corrected to "429" to correspond with the specification at page 9, line 8.

Attachments following last page of this Amendment:

Replacement Sheet (1 pages)